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PATENT
Docket No.: 020048-002540US

Box DAC
Assistant Commissioner for Patents
Washington, DC 20231

On 9/30/02

TOWNSEND and TOWNSEND and CREW LLP

By: Kristi Cope

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McMillan et al.

Patent No.:

Issued:

Application No.: 10/006,848

Filed: November 7, 2001
For: DEVICE AND METHOD FOR
LYSING CELLS, SPORES, OR
MICROORGANISMS

Examiner: Unassigned

Art Unit: 1744

COMMUNICATION UNDER 37
C.F.R. §1.28(c)

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

COMMUNICATION UNDER 37 C.F.R. §1.28(c)

Sir:

Applicants respectfully submit under 37 C.F.R. §1.28(c) authorization to pay supplementary fees and consideration of the remarks set forth herein. The following documents are enclosed herewith:

10/08/2002 AUCNDAF1 00000021 201430 10006848

- Postcard

01 FC:101	361.00 CH	379.00 OP
02 FC:102	84.00 CH	
03 FC:103	18.00 CH	

- this paper is submitted in duplicate

Adjustment date: 10/08/2002 AUCNDAF1
12/12/2001 KLUNG 00000001 081641 10006848
01 FC:201 -370.00 OP
02 FC:202 33.00 CR -9.00 OP
03 FC:203 9.00 CR

REMARKS

Please change the status of the above-identified application, U.S. Serial Number 10/006,848, filed November 7, 2001 from small entity status to large entity status. MPEP 509.03, 7th ed., July, 1998.

Applicants no longer claim the benefit of small entity status for the above-identified patent and wish to submit supplemental large entity fee(s) as follows.

The supplemental fees to be paid are set forth below:

Paper	Date	Fee Paid	Current Fee	Difference
Filing Fee Due	11/07/2001	\$379.00	\$758.00	\$379.00
Total		\$370.00	\$740.00	\$370.00

Any error in originally paying the fees at the small entity rate was inadvertent.

The Assistant Commissioner for Patents is hereby authorized to charge the fee of \$370.00 to Deposit Account No. 20-1430. Please charge any additional fees, or refund any overpayment, to Deposit Account No. 20-1430.

If additional issues need to be addressed, please telephone the undersigned at 650-752-2469.

Respectfully submitted,



William Schmonsees
Reg. No. 31,796.

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PA 3253253 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

Please stamp your date of receipt of the following documents and return to addressee:

First Class Mail Date: September 30, 2002
File No.: 020048-002540US
Application No.: 10/006,848
Attorney: WS/klc

1. Communication Under 37 C.F.R. §1.28(c) (2 pages) in duplicate.

PA 3253657 v1